

**CITY OF MIDLAND, TEXAS  
BRIEFING SESSION AGENDA  
Tuesday, April 10, 2007, 9:00 a.m.  
City Hall Conference Room  
300 North Loraine  
Midland, Texas**

---

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

1. Discuss the inspection process of Midland restaurants and publication of inspection results.

## AGENDA FOR CITY COUNCIL MEETING

Tuesday, April 10, 2007 – 10:00 a.m.

Council Chamber – City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

❖Item related to City Council goals

1. Invocation – Reverend Jonathan Hartzler, Christ Church of Midland

**INVOKED**

2. Pledge of Allegiance

**PLEDGED**

### **MISCELLANEOUS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
  - a. Presentation of a Proclamation to the Midland Christian Basketball Texas Association of Private and Parochial Schools (TAPPS) Division II State Champions. **(PRESENTED)**
  - b. Presentation of a Proclamation to the Midland College Men's Basketball Team 2007 National Junior College Athletic Association Men's Division I Basketball Champions. **(PRESENTED)**
  - c. Presentation of Resolution of Commendation to retiring City employee Damon Shupp. **(PRESENTED)**
  - d. Presentation of the 12<sup>th</sup> Annual Government Finance Officers Association Distinguished Budget Presentation Award. **(PRESENTED)**

**CONSENT AGENDA**

4. Consider a motion approving minutes of the March 20, 2007 City Council Meeting.

**APPROVED**

5. Consider a resolution rejecting all bids received for bid number 0207-07 regarding the 2006 Neighborhood Street Paving & Drainage Improvements Project.

**APPROVED**

6. Consider a resolution authorizing the purchase of three (3) backhoe loaders and one (1) loader for the Water and Wastewater and Transportation Divisions.

**APPROVED**

7. Consider a resolution authorizing the purchase of thirty-two (32) light trucks and cars; not all bids were the lowest bids.

**APPROVED**

8. Consider a resolution authorizing the purchase of two (2) riding greens-mowers, one (1) mid-mount mower and one (1) tow type top-dresser for Hogan Park Golf Course.

**APPROVED**

9. Consider a resolution authorizing the appropriation of passenger facility charge (PFC) funds to reimburse the department of airports for the expenditure of matching funds on PFC eligible projects at the Midland International Airport.

**APPROVED**

10. Consider a resolution in support of the development of La Entrada al Pacifico trade corridor.

**APPROVED WITH AMENDMENT**

11. Consider a resolution approving plans and specifications and authorizing advertisement for competitive bids for stage curtains at the Martin Luther King Jr. Community Center.

**APPROVED**

12. Consider a resolution authorizing the Friends of the I-20 Wildlife Preserve to raise funds on behalf of the City of Midland.

**APPROVED**

13. Consider a resolution authorizing the execution of a public improvement development agreement with Brighton Country Land Development, LLC, for Greathouse Addition, Section 6, City and County of Midland, Texas; and allocating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code.

**DEFERRED**

14. Consider a motion to defer curb and paving improvements for Bankhead Addition, Section 11, and to waive the associated public improvement guarantee.

**APPROVED**

15. Consider a resolution authorizing the execution of an agreement with the Midland Junior College District regarding the Individual Development Account Program; and establishing a Community Development Program under Chapter 380 of the Texas Local Government Code.

**APPROVED**

16. Consider a resolution allocating funds for the Fiscal Year 2007 Transportation study Project, Project 8795.

**APPROVED**

17. Consider a resolution authorizing the acceptance of a grant award from the State of Texas "J" Regional Advisory Council; authorizing the execution of acceptance documents; and appropriating grant funds.

**APPROVED**

18. Consider a resolution authorizing the execution of Change Order Number One with Onyx Contractors, a limited partnership, regarding the Construction of Pit 4, Phase I-B, at the City of Midland Landfill; and appropriating funds in the amount of \$39,512.00.

**APPROVED**

19. Consider a resolution authorizing the execution of a professional services agreement with Shaw Environmental, Incorporated for cell design, permitting and

air space calculations for the City of Midland Landfill; and appropriating funds therefor in the amount of \$15,490.00.

**APPROVED**

20. Consider a resolution authorizing the execution of a discharge license agreement with Talon, L.P.E.

**APPROVED**

21. Consider a resolution authorizing the Office of the City Attorney to file all documents, employ all necessary experts and make all necessary appearances to represent the City of Midland in a lawsuit styled, Esther Charline Love v. the City of Midland, Texas, and the Zoning Board of Adjustment of the City of Midland, Texas, in the 385th District Court of Midland County, Texas; Cause No. CV 45898.

**APPROVED**

**SECOND READINGS**

22. Consider an ordinance on second reading on a request by Bill Steward for a zone change from 1F-1, One-Family Dwelling District, to C-3, Commercial District on a 7.68-acre tract of land out of Section 10, Block 39, T-2-S, T&P RR Co. Survey, Midland County, Texas. (Generally located on the east side of Cotton Flat Road, approximately ¼ mile south of Interstate Highway 20.)

**APPROVED**

23. Consider an ordinance on second reading on a request by Integrity Land Development, LP. for a zone change from FD, Future Development District, to PD, Planned District for a Housing Development on a 22.373-acre tract of land out of Section 25, Block 40, T-1-S, T&P RR Company Survey, Midland County, Texas. (Generally located on the east side of the north extension of Crowley Boulevard, west of Rio Grande Avenue.)

**APPROVED**

24. Consider an ordinance on second reading on a request by JMS Development Corporation for a zone change from FD, Future Development District, to TH, Townhouse District on a 20.79-acre tract of land out of Section 25, Block 40, T-1-S, T&P RR Company Survey, Midland County, Texas. (Generally located at the west end of Los Patios Drive and at the North end of Llano Court.)

**APPROVED**

25. Consider an ordinance on second reading amending the official municipal budget for Fiscal Year 2006-2007.

**APPROVED**

**PUBLIC HEARINGS**

26. At 11:00 a.m. hold a public hearing and consider an ordinance on a request by West Company of Midland, Inc. for a zone change from AE, Agriculture Estate District to PD, Planned District for a Housing Development on Lot 1, Block 1, Quail Ridge Addition; a 8.073-acre tract of land out of Tract 25, Parker Acres; and a 5.588-acre tract of land out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas. (Generally located on the northwest corner of the intersection of Business 20 and Chukar Lane.)

**ITEM WITHDRAWN BY APPLICANT**

27. At 11:06 a.m. hold a public hearing and consider an ordinance on a request by BCKK Engineering, Inc. for a zone change from 1F-2, One-Family Dwelling District to O-1, Office District on Lots 3 and 4, Block 16, Subdivision of N/2 Block 16 Loma Linda Addition, City and County of Midland, Texas. (Generally located on the north side of Oak Avenue, approximately 280 feet east of N. Big Spring.)

**APPROVED**

**DEVELOPMENT SERVICES**

28. Consider an ordinance designating Beal Parkway as the street name of the public roadway between the intersection of West Illinois Avenue and Thomason Drive and the Business Interstate 20 service road; directing the City Secretary to send the Midland Emergency Communications District a certified copy of this ordinance; containing a cumulative clause; and containing a savings and severability clause.

**APPROVED**

**MISCELLANEOUS**

29. Consider a resolution authorizing the execution of an addendum to the agreement with the Midland Chamber of Commerce to promote tourism and the convention and hotel industry in the City of Midland.

**APPROVED**

30. Review, discuss and consider comparative salary data and market analysis compiled as a result of the recommendations from the competitive compensation employee focus group and consider related matters.

**DISCUSSED**

31. Consider a motion making appointments to various Boards and Commissions.

**APPOINTMENT MADE**

32. Recess to the conference room for lunch.
33. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

**Consultation with the City Attorney Section 551.071**

Discuss potential litigation involving a claim from Endeavor Energy Resources, L.P., related to a permit to drill an oil and gas well in the City Limits.

**Personnel Matters, Section 551.074**

Discuss the employment, appointment, recruitment, compensation, and duties of a new Police Chief for the Midland Police Department.

Discuss and deliberate the employment, evaluation, duties and compensation of the City Manager and receive comments and complaints regarding the City Manager.

Discuss and deliberate the employment, evaluation, duties and compensation of the City Attorney and receive comments and complaints regarding the City Attorney.

Discuss and deliberate the employment, evaluation, duties and compensation of the City Secretary and receive comments and complaints regarding the City Secretary.

Discuss and deliberate the employment, evaluation, duties and compensation of the Presiding Municipal Court Judge and receive comments and complaints regarding the Presiding Municipal Court Judge.

Discuss and deliberate the employment, evaluation, duties and compensation of the Associate Municipal Court Judge and receive comments and complaints regarding the City Associate Municipal Court Judge.

Respectfully submitted,

Rick Menchaca  
City Manager